

**Address by the Under-Secretary of State  
at the Ministry of Foreign Affairs of the Republic of Poland**

**Mr. Witold Waszczykowski**

**OSCE Human Dimension Seminar**

**Warsaw, 14 of May 2008**

Mr. Chairman, Excellencies, Ladies and Gentlemen

On behalf of the Government of the Republic of Poland I am pleased to welcome distinguished participants of this human dimension seminar, representatives of participating States, OSCE institutions and field operations, inter-governmental and non-governmental organizations.

Let me express appreciation to the Warsaw Office for Democratic Institutions and Human Rights for preparing this important meeting and giving us the opportunity to exchange information and to discuss the subject of constitutional justice. My appreciation goes also to the Finnish Chairmanship of the OSCE (I welcome very warmly distinguished Minister Mr. Pertti Torstila), which coordinates all activities of the Organisation in the year 2008.

Respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law are prerequisites for progress in setting up the lasting international order, peace, security, justice and co-operation. The duty of the government and public authorities to comply with the constitution and to act in a manner consistent with law is among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings.

Even though OSCE participating States use different institutional models to safeguard compliance with their constitutions, constitutional courts play a key role in

upholding the rule of law in the OSCE area, ensuring compliance of legislation with the constitution. Thereby they contribute to the consistency, harmony and order in the legislative framework and to the protection of constitutional principles and the rule of law.

Constitutional courts have a special place in the system of separation of powers. One of their main tasks is to clarify the boundaries of authority of the executive and the legislature and interpret interdependence between them.

Poland has quite a long tradition of constitutional justice, since we were the first state in this part of Europe to create such a court back in 1985. My country then still struggled with the authoritarian regime, but the establishment of the constitutional court might be seen as a harbinger of radical changes in the political and judicial system which took place four years later.

This human dimension seminar will give us an opportunity to discuss the impact of constitutional courts and their decisions on the democratic development of participating States, and to highlight the current legal, political and administrative challenges they face. Our discussion will also ensure a timely continuation of the exchange of views on the rule of law and separation of powers at the 2007 human dimension implementation meeting in Warsaw.

Ladies and Gentlemen

Let me use this opportunity to reiterate, that Poland highly values the work of the Warsaw Office for Democratic Institution and Human Rights and its Director, Ambassador Christian Strohal. The Office is one of the premier instruments of the OSCE providing essential help in the practical implementation of commitments and democratic values, as well as one of the key OSCE's assets in the human dimension framework, and practical tools in bridging the existing gap between national commitments and reality.

Government of Poland is proud to contribute to the OSCE human dimension cooperation by hosting in Warsaw the headquarters of the OSCE Office for Democratic Institutions and Human Rights.

I am confident that meeting will produce tangible and significant results. The agenda of the meeting offers the possibility to exchange views on the range of issues related to the constitutional justice. I hope our guests representing wide geographical and professional spectrum will share their ample experience and expert knowledge, what would further contribute to the common understanding of the role and importance of the constitutional justice. A critical analysis of the issues on the agenda of this conference will help us fulfill commitments undertaken in the framework of the Helsinki process.

I wish you fruitful deliberations. I am confident that the professionalism of Ambassador Christian Strohal and his team, proved by the excellent organization of this event, will contribute to its success.

Finally, let me take this opportunity to invite you, on behalf of the Ministry of Foreign Affairs, to a reception at 6 Foksal Street, 7 p.m. tonight.

Thank you.